

YORK COUNTY PLANNING COMMISSION

Special Meeting

Charting the Course to 2025

The County of York Comprehensive Plan

York Hall - 301 Main Street

August 24, 2005

7:00 PM

MEMBERS

Christopher A. Abel

Nicholas F. Barba

Anne C. H. Conner

John R. Davis

Alexander T. Hamilton

Alfred E. Ptasznik, Jr.

John W. Staton

CALL TO ORDER

Chair Alfred Ptasznik called the special meeting to order at 7:00 PM.

ROLL CALL

The roll was called and all members were present. Staff members present were J. Mark Carter, Timothy C. Cross, Amy Parker, Earl Anderson, and James E. Barnett, Jr., County Attorney.

REMARKS

Chair Ptasznik stated that the Code of Virginia requires local governments to have a Planning Commission, the purpose of which is to advise the Board of Supervisors on land use and planning issues affecting the County. The responsibility is exercised through recommendations conveyed by resolutions or other official means and all are matters of public record. He indicated that the Commission is comprised of citizen volunteers, appointed by the Board, representing each voting district and two at-large members.

Chair Ptasznik explained the public hearing procedure. He asked all who wished to speak to fill out a speaker's form, and those who wanted to speak and had not filled out a form to do so and present their forms to the secretary.

STAFF PRESENTATION

Timothy C. Cross, AICP, noted the Planning Commission received a detailed staff presentation at its August 3rd work session. He expressed thanks to the Planning staff and to the citizen volunteers who served over the course of the past year on the Steering Committee that oversaw the development of the draft plan. Those included Commissioners Nick Barba, who chaired the

Comprehensive Plan Review Steering Committee, Jack Davis, A. T. Hamilton, and Al Ptasznik; and representatives from the Board of Supervisors, School Board, Economic Development Authority, Parks and Recreation Advisory Board, Beautification Committee, Transportation Safety Commission, Youth Commission, and Homeowners' Associations. Over the course of a year those volunteers served over 500 hours, participating in 15 neighborhood open houses, 24 Steering Committee meetings and a Planning Commission work session. There also was a scientific telephone survey of County citizens taken last winter, he added.

Based on citizen input received during the past year, staff and the Steering Committee have identified the following citizen priorities:

- Protecting the natural environment
- Preserving historic sites and structures
- Preserving open space/green space
- Encouraging new business for empty commercial properties
- County purchase of land for open space preservation
- Ensuring all new businesses have attractive landscaping
- Purchase and teardown of rundown commercial structures for redevelopment
- Improving appearance of properties along major roads
- Requiring businesses along major roads to meet architectural design standards
- Building new roads and widening existing ones to reduce traffic congestion

The Steering Committee and staff drew the following conclusions about the citizens' vision for York County:

- Citizens desire an attractive community.
- Citizens want protection of the natural environment including trees and open space.
- Citizens are concerned about growth of the population and attendant traffic congestion.
- The lack of affordable housing is a problem but no agreement was reached on a solution.
- Upper and lower County residents generally agreed on major goals.
- Residents like the County as it is and do not want dramatic changes.

Although York County residents generally like the County the way it is, they expressed support for the following changes:

- Recognize importance of development aesthetics.
- Maintain low population density, keep the 80,000 cap on population.
- Provide more walkways, bikeways, local parks.
- Improve traffic flow.
- Improve ingress and egress to neighborhoods.
- Improve landscaping and streetscaping along major corridors.

Additional by the Steering Committee included:

- Mixed use development

- Historic preservation
- Housing affordability
- Aging of the population
- Expansion of the Newport News/Williamsburg Airport

Mr. Cross noted several key policy changes recommended in the draft document, including:

- Purchase land or easements for both open space preservation and removal of vacant, blighted structures, with a dedicated and regular funding source.
- Adopt a minimum building maintenance code (Part 3 of the Statewide Building Code).
- Extend revitalization such as the Route 17 Revitalization program to other commercial corridors, such as Merrimac Trail, Second Street, Bypass Road.
- Adopt a conceptual greenways plan.
- Provide walkways and bikeways.

Mr. Cross reported that a number of verbal and written comments have been collected by staff and will be compiled for the Commission before its next meeting. He recommended a Commission vote on the draft plan in September and anticipated Board action before the end of the calendar year.

Chair Ptasznik proceeded to the public hearing.

PUBLIC HEARING

Charting the Course to 2025: The County of York Comprehensive Plan: The *Comprehensive Plan* is the long-range plan for the physical development of the County. The Board of Supervisors adopted the current plan on October 6, 1999, and the *Code of Virginia* requires that it be reviewed at least once every five years. The Comprehensive Plan Review Steering Committee has prepared and recommended a five-year update of the plan, which is currently under review by the Planning Commission.

Mr. Russ Gorgone, 108 Shady Bluff Point, Skimino Landing Estates, Board of Directors member and past president of the homeowners' association (HOA), addressed concerns of its members. While the turnout for the neighborhood open house in Skimino represented one-third of the total number of citizens who attended the open houses, the Skimino Landing Estates HOA members who attended that open house were not sure their desires and concerns were adequately addressed in the Draft Comprehensive Plan. Those concerns included a request for more controlled development in the Skimino area, and public safety issues, such as:

- (a) The road system around the Interstate 64-Lightfoot interchange is not adequate for major commercial development.
- (b) The trees planted as part of the landscaping of Route 199 could grow within a few years to obscure the vision of drivers exiting eastbound Interstate 64 and turning left to access the Newman Road area.
- (c) A winding road approaches the Newman Road/Barlow Road intersection, limiting visibility.

- (d) Public safety issues related to installing a bike path along Route 199; the homeowners request that this proposal be reconsidered.

The full text of **Mr. Gorgone**'s remarks is attached to the Minutes as Attachment No. 1.

Mr. Jack Hamilton, 102 Westminster Place, Banbury Cross HOA President, said the homeowners and residents of Banbury Cross, Old Quaker Estates, Skimino Hills and Skimino Farms have told the Commission on a number of occasions that they do not want commercial development east of Interstate 64. He referred to a petition that expressed residents' strong opposition to a shopping center on Newman Road. At **Mr. Hamilton**'s request, the Skimino area citizens in attendance stood in a show of support for his remarks. He said they believe their collective voice is important and he asked the Commission to represent their vision to preserve the rural heritage they embrace.

Mr. Peter Mellette, 125 Cherwell Court, Banbury Cross, focused his comments on the Land Use element of the draft plan. He proposed revisions to page 14 addressing the Mixed Use overlay designation, and page 15-16 addressing the Skimino area. The full text of **Mr. Mellette**'s remarks and proposals are attached to the Minutes as Attachment No. 2.

Mr. Fred Richmond, 215 Cherwell Court, Banbury Cross, believed the language in the proposed Plan [relative to mixed use development in the Skimino area] is ambiguous. He supported Mr. Mellette's proposed revisions as methods for strengthening the language and eliminating ambiguity. Mr. Richmond said most residents in the upper County do not want commercial development while accepting that owners of commercial property have rights that cannot be overridden. He believed that mixed use, developed correctly and in a manner that doesn't heavily favor the commercial component, might be supported by the Skimino area residents. **Mr. Richmond** appealed to the Commission to consider the wording drafted by Mr. Mellette. He added that the Comprehensive Plan will serve the County for a long time and he preferred residential development with supporting commercial uses, rather than the opposite.

Ms. Virginia Henderson Fitch, 1643 Historyland Highway, Farnham, VA, said there is a property on Baptist Road that is recommended for a reduction in residential density. Her great grandfather, Randall Pollard, bought the property in 1872, and over the intervening years he fought great adversities to hold onto the land, she said, and some of the land was taken from him unethically. The remaining land has been a major part of her family's heritage and the family owners are elderly and reluctantly considering selling the property in the hope it will provide some income in their remaining years. **Ms. Fitch** wanted the sale of the property to be fair, but the owners must consider the taxes paid over the years and the pride they have in their heritage. She requested the current zoning designation of R13 be maintained; otherwise, she considered a rezoning tantamount to taking property or "diminishing property from an elderly family."

Ms. Ruth Henderson Gaskins, 45 Heaggans Road, Farnham, VA, the granddaughter of Mr. Pollard, represented herself and her 81-year-old brother and they hoped the land would remain zoned as it is in order to retain its value to the family.

Mr. Paul Garman, 109 Chisman's Point Road, addressed the population cap adopted by York County in the 1991 Comprehensive Plan. He mentioned that a large percentage of the County is

comprised of government-owned land, ensuring green space over the long term, and much of the remaining undeveloped land is on wetlands and is therefore unbuildable. He said if the County calculates that developing the remaining undeveloped lots would bring the population total to 80,000, there should be no need for the County to purchase residential land to control population or to downzone existing lots into larger lots. **Mr. Garman** did not think higher density necessarily meant more people; higher density done properly would enable more open space.

Ms. Shirley Henderson Fox, 1739 Historyland Highway, Farnham, VA, spoke of her family's property on Baptist Road, noting it has remained undeveloped for over 100 years. The family members would like to sell it for affordable housing and believe the location on Baptist Road, near the Naval Weapons Station and in a historically black neighborhood, make it appealing for affordable housing. They have interviewed potential builders, she said, but are very particular about the quality they expect from a developer. **Ms. Fox** did not believe it should be necessary to rezone the property for larger residential lots; she has seen attractive developments with as small as quarter-acre lots that still provide open space. She believed well-designed affordable housing built on lots smaller than one acre would be an asset to the County.

Ms. Victoria Gussman, Director, Property Resources and Planning, Colonial Williamsburg Foundation (CWF), referred to her letter to the Commission dated August 19, 2005, about CWF properties in York County. Her letter is attached to the Minutes as Attachment No. 3.

Ms. Lisa Hayes, 107 S. Maple Road, represented herself and her neighbors in the Kentucky Heights subdivision. **Ms. Hayes** addressed the proposed expansion of the airport runways, acknowledging it will affect the Kentucky Heights subdivision. She said many residents have spent their lives there, resulting in a low housing turnover. **Ms. Hayes** requested that any rezoning of the subdivision take place only in the late phases of the airport expansion, noting the possible impact on their taxes as only one possible result of the airport expansion. She urged the County to communicate with the Kentucky Heights homeowners as expansion phases are planned; they need to know how long they can remain on their property. They hear a lot of rumors, she said, but have received no formal communication about plans for airport expansion and urged the County to tell them what is happening before it is published in the newspaper.

Mr. Lamont Myers, 108 Pheasant Watch, commended the draft plan for its recognition of the value of mixed use projects. Mr. Myers addressed the 80,000 population cap as an arbitrary number. It is important to use the land wisely and provide services and housing opportunities for all of the County citizens. He believed a population cap of 80,000 should serve as a guide in developing mixed uses and planned developments and a variety of other land uses. He believed 80,000 would be difficult to attain considering the environmental and topographic constraints. To decrease density is to increase all costs, he said, resulting in a continued shortage of affordable housing. **Mr. Myers** asked the County to use its resources wisely, provide housing opportunities to all citizens, and not fixate on a population cap of 80,000.

Mr. Pete Henderson, 400 Angus Lane, Williamsburg, owns 73 acres on Mooretown Road currently designated Low Density Residential. Pointing out the commercial ventures built and planned near the property, including Sentara, YMCA, Lowes, Home Depot, and others, **Mr. Henderson** requested consideration to redesignate his property to Medium Density Residential.

Mr. Ward C. Bourn, 108 Sheriffs Place, said maintenance of greenness in the County and particularly of the trees was of paramount concern to many citizens. He promoted the strategy of implementing specific standards to preserve trees when a property is developed, such as in the buffer zones of properties that are abutting water, and using the strategy to establish concrete standards for trees. He said the citizens should consider the “real environmental issues.” Most of York County abuts or drains into the York River and the Chesapeake Bay and the County needs to be concerned about runoff, erosion avoidance, and “greening up” rather than “greening as a carpet,” in his opinion. **Mr. Bourn** believed it is time for the County to change the way it goes about business and send a message to adjacent communities that some concrete steps must be taken – for instance, to preserve trees and limit how much can be cut down to accommodate construction. In addition, if the County were to consider smaller lot sizes to achieve more affordable housing, **Mr. Bourn** said, a green buffer of existing trees would go a long way to providing the green buffer that citizens seem to prefer.

Mr. Bob Singley, 1812 Wood Gate Lane, Bena, VA, president of RJS Associates, representing the property interests of Williamsburg Pottery, said he has attended several meetings of the Steering Committee and spoken with staff over the last few months about several properties owned by Williamsburg Pottery. The first is 600 acres located on Lightfoot Road between Interstate 64 and James City County, for which the draft plan recommends a Mixed Use overlay district; he supported that recommendation. He also requested that two acres located on the same quadrant be included in the Mixed Use overlay district. A property located on the northwest quadrant of Interstate 64 is recommended for residential development, which he supported.

The second property is located on Route 199 at Interstate 64 and comprises 350 acres, a portion of which is currently zoned General Business. The draft plan recommends redesignating the General Business portion to Limited Business and a Low Density Residential designation for the remainder, with a Mixed Use overlay, **Mr. Singley** said. The owners prefer retaining the General Business designation, but would support the draft plan because a Mixed Use overlay would provide the opportunity for a unified master plan for future development of the entire property.

Mr. Singley mentioned the contributions made over the years to the County and the surrounding area by Mr. Maloney since he established the Pottery in the 1940s.

Mr. George Fiscella, 501 Riverside Drive, Newport News, represented Hampton Roads Development and Virginia Enterprises, owners of property at the eastern end of Baptist Road. **Mr. Fiscella** noted they had developed Foxwood and Wythe Creek Farms subdivisions, and reduced an access point between Running Man subdivision and Wythe Creek Farms at the County’s request. **Mr. Fiscella** requested the current zoning at the end of Baptist Road be retained because rezoning to a lower density would reduce the value of the land, which, he said, would result in reducing the assets the landowners have saved for their retirement. He did not believe the issue of “limited access” merited the proposed rezoning. There are subdivisions with more housing than the potential for this site, he believed, with one way in and one way out and they function fine. **Mr. Fiscella** said that Baptist Road has a 20-foot-wide pavement; if it was temporarily blocked, an emergency vehicle could navigate the considerable cleared area beside the pavement on Baptist

Road or, he suggested, a boulevard-type entrance could be provided. He did not believe a change was merited.

Ms. Bonnie Karwac, 114 Burcher Road, thanked the staff for the addition of the Historic Resources element and complimented Ms. Parker for her work. **Ms. Karwac** expressed appreciation for the opportunities given to citizens to participate in the Comprehensive Plan update. She said York County residents are not transients, as some may believe; many were born here and will spend their entire lives in the County. She said many of the residents want a slower population growth or a lower cap. **Ms. Karwac** also mentioned the issue of drainage. Many properties have been designated wetlands that were not and trees are dying because of uncontrolled development. She asked the County to establish stormwater impacts on downstream properties as part of all development reviews.

Mr. Jeff Williams, 3328 Franklin Street, Richmond, VA, commercial real estate broker and developer and managing partner of 64 Enterprises LLP, spoke about a five-acre parcel at Fenton Mill and Newman Roads. He said when the current owner purchased the property, in 1972, Interstate 64 was under construction, Route 199 had not been built, and public utilities had not been brought to the area. Between 1980 and 1985, York County recognized the significance of the location and designated the Interstate 64 (Exit 234) interchange area for commercial use. Thereafter, the subject parcel and others were rezoned to GB. The property has been assessed for this use over the past 20 to 25 years, he said. Significant residential and commercial growth has taken place over the past 10 to 15 years and the once rural area is becoming suburban. The draft plan recognizes the development pressures but has recommended a redesignation of his property from General Business to Limited Business. He did not believe the proposed designation is relevant to the parcel and strongly opposed that part of the draft plan. The highest and best use for this property, given its location, was retail commercial to provide goods and services for those living in the general area. He hoped York County would not promote a culture of down-zoning; "it is a slippery slope and unhealthy for both public and private interests, could have a negative effect on economic development, step on the private property rights of its citizens, and be interpreted as a confiscation of property values." **Mr. Williams** requested the property in question keep the General Business land use designation.

Chair Ptasznik closed the public hearing, no others having signed up before the meeting convened.

CLOSING REMARKS

Chair Ptasznik thanked all of those who expressed their concerns and said the Commission will take into account all of the comments received at this hearing and in writing. He noted the Comprehensive Plan review is a massive undertaking that takes place every five years. The Chair indicated the Commission might hold a second work session before forwarding the draft plan to the Board of Supervisors, who will conduct a review and public hearing.

ADJOURN

The meeting was adjourned at 8:12 p.m.

SUBMITTED: _____/s/_____
Phyllis P. Liscum, Secretary

APPROVED: _____/s/_____
Alfred E. Ptasznik, Jr., Chair

DATE: September 14, 2005